

Attorney(s) name(s) and state bar number (space below for
Law Firm filing stamp only)
Address
Telephone number
Facsimile number
E-mail address

Attorney(s) for Protestant

SAMPLE PROTEST
3060 Termination (15 Day Notice)

STATE OF CALIFORNIA
NEW MOTOR VEHICLE BOARD

In the Matter of the Protest of)
NAME OF DEALERSHIP,) Protest No. (leave blank)
Protestant,)
vs.) **PROTEST**
NAME OF MANUFACTURER/DISTRIBUTOR,) [V.C. sec. 3060]
Respondent.)

Protestant, _____, through its attorney(s), files
this protest under the provisions of California Vehicle Code section
3060 and alleges as follows:

1. Protestant is a new motor vehicle dealer selling _____,
and is located at _____. Protestant's
telephone number is _____.

2. Respondent distributes _____ products
and is the franchisor of Protestant.

3. Protestant is represented in this matter by [Name of Attorney
or Protestant (if representing self)], whose address and telephone

number are _____.

4. On or about _____, Protestant received from Respondent a notice that Respondent intends to terminate its existing franchise agreement effective **15 days** from Protestant's receipt of said notice.

5. Protestant generally denies each and every allegation contained in the written notice of termination.

6. Respondent does not have good cause to terminate the franchise by reason of the following facts:

(a) Protestant has made a substantial and permanent investment in the dealership.

(b) Protestant has transacted and is transacting an adequate amount of _____ business compared to the business available to it.

(c) Protestant has fulfilled the warranty obligations to be performed by it.

(d) The extent of any failure of Protestant to comply with the terms of the franchise agreement is immaterial.

(e) Protestant has adequate motor vehicle sales and service facilities, equipment, vehicle parts, and qualified service personnel to reasonably provide for the needs of _____ buyers and owners in the market area and is rendering adequate service to the public.

(f) It would be injurious to the public welfare for the franchise to be terminated or for Respondent to refuse to continue the existing franchise.

7. Protestant and its attorney(s) desire to appear before the Board and estimate that the hearing in this matter will take _____ days to complete.

1 8. A Pre-Hearing Conference is requested.

2 WHEREFORE, Protestant prays as follows

3 1. That the Board sustain this protest and order Respondent not
4 to terminate Protestant's franchise.

5 2. That pending the hearing in this matter, the Board or its
6 secretary or authorized representative immediately order Respondent not
7 to terminate Protestant's franchise until such time as Respondent has
8 established good cause for such actions under the provisions of Vehicle
9 Code Section 3060 and 3061.

10
11 DATED: _____

12
13
14 By _____
15 Attorney(s) name(s)
16 (original signature required)

17
18 * * * * THE PROTEST MAY NOT BE PROCESSED WITHOUT AN * * * *

19 ATTACHED PROOF OF SERVICE AND A \$200.00 CHECK TO
20 COVER PROTESTANT'S FILING FEE

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28 [Rev2-00\15term.pdf](#)